

2008-21

>>> Clerk Info 11/18/2009 8:00 AM >>>

>>> "Kathy" 11/17/2009 8:02 AM >>>

Dear Clerk,

My name is Kathy, and I am a parent of a CSC victim. The defendant in the case is a Juvenile. I am writing you because I am greatly opposed to Juveniles being considered for the Consent Docket in Victim Crimes.

This experience has been unbearable. I honestly believe that too often Juveniles are treated so gingerly when they commit a felony and Victims are left disregarded. How can you explain the devastation of holding your child's hand in the middle of the night as he or she begs you to make their nightmares go away. The defendant in our case is the monster in my son's nightmares. My son is so confused about as to what he has experienced and he is so afraid that any of his 4 younger siblings will be assaulted and he won't be able to help. Sometimes it takes both my husband and I to comfort him.

The nightmares have gone on for so long... We have regularly felt the heartbreak of listening to our children cry that they are so frightened of the courtroom and frightened of facing the defendant.

When the prosecutor contacted us in regards to a plea agreement, we as parents were offered our **one chance** to keep our children off the stand. What is a parent to do? I had spent a lot of time thinking about the plea agreement.

In my heart, I know we had the truth on our side and the defendant would have been found guilty of both **of the 1st degree CSC's as well as the 2nd degree** that were charged by the prosecutors office. However, the thought of the children testifying in court not only terrified them but it really scared us as parents. We were worried about the additional long-term effects testifying, especially after we have already begun seeing some of the long-term effects of the attacks.

As a family, we felt obligated to accept the Plea agreement for the sake of the children. We chose to face their rapist and protect them so that they did not have to. We accepted a plea to one CSC 2nd degree victim under 13 years of age.

We urged the Court to consider that defendant committed these violations to **multiple children, in multiple locations** over a year's time; this was not an **isolated incident** and as such, consent should not even be an option. After all, Sex Offender Legislation has been enacted to increase public knowledge and visibility of convicted sex offenders in order promote to public safety and the defendant was still pleading to a 15 year felony with 25 year mandatory registration.

The defendant's Risk Evaluation was **Moderate not LOW**. Would you feel comfortable not knowing this man is a sex offender and allow your child or grandchild to be left alone with him. Do you feel that it is service to the public to keep him off the registry and allow parents to move in his neighborhood or allow their children to play at his house unattended. I know that I strongly feel it is my right as a citizen of this county to know who my neighbors are and my choice as a parent to make the right decision for my children. The law should be obligated to restrict this youth's freedom of movement in the community. The defendant should have residential treatment that would remove him from the community and allow his family the chance to heal without the concern of this defendant and his young victims or any other children being combined with him in social situations.

If I have to spend the rest of my life fighting for the rights of victims who were left without a voice because their rapist was a juvenile and given special privilege – then I will. I will use every avenue available to do so. The rehabilitative emphasis within the juvenile system should not apply to repetitive, violent, sexual crimes. It is insulting to the victims who are suffering. *Victims deserve justice*

I demand that the Court protect other children from being victim by properly sentencing defendants for the exact crimes that he committed. Any favoritism or leniency is an outrage. Consent is a disservice to the community. Rape is the Murder of innocence.

An adult would be facing 15 years to Life in Prison without the Plea Agreement received from the Prosecutors Office. This Defendant is not a thief or an addict, he is a molester and his victims are Children.

Many people have given their opinion as to what a Juvenile should receive as punishment or treatment. How can the caseworker, family member or anyone for that matter judge what should be imposed for a child being touched when that child is not their own.

You can't begin to imagine the personal hell that you go thru on behave of your child. The anger and the hurt consumes your being and forever changes you as not only a parent but as a person. Am I correct to assume that everyone who supports his innocence or risk potential also feels safe allowing their own child to be left alone with him. Could they watch their child sit on his lap & watch TV or play a video game. Is it acceptable to keep them off the registry and allow them to be coaches, camp counselors, teachers or any position of mentoring?

Please help me in my fight to remove victim crimes from the consent docket. In our case, it was the recommendation of the caseworkers evaluation. I feel that this is a great injustice to victims and their families.